

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

COREY BRACEY,	}	
	}	No. 2:19-cv-01385-WSS
Plaintiff,	}	
	}	Judge Stickman
vs.	}	
	}	
COREY VALENCIA, <i>Correctional Officer I</i> ;	}	
CHRISTOPHER COLGAN, <i>Corrections Officer I</i> ;	}	
and LIEUTENANT MORRIS,	}	
	}	<i>Electronically Filed.</i>
Defendants.	}	

**CORRECTIONS DEFENDANTS’
PROPOSED VERDICT SLIP**

AND NOW, come the defendants, Valencia, Colgan and Morris (“the Corrections Defendants”), by their attorneys, Scott A. Bradley, Senior Deputy Attorney General, and Amelia J. Goodrich, Deputy Attorney General, Chief and file the within Proposed Verdict Slip¹:

PLEASE FOLLOW ALL DIRECTIONS ON THIS FORM:

Begin with Question # 1:

EIGHTH AMENDMENT—EXCESSIVE FORCE

1a. Do you find by a preponderance of evidence that Defendant Corey Valencia used excessive force against Plaintiff on October 17, 2017, in violation of Plaintiff’s constitutional rights as provided by the Eighth Amendment?

(Check the appropriate box)

_____ Yes _____ No

¹ The Court had ordered the Parties to file joint proposals for jury instructions and verdict slip; however, efforts to meet and confer with Plaintiff on these filings ultimately proved unsuccessful. Accordingly, the Corrections Defendants will file their own proposals with respect to these filings.

1b. Do you find by a preponderance of evidence that Defendant Christopher Colgan used excessive force against Plaintiff on October 17, 2017, in violation of Plaintiff's constitutional rights as provided by the Eighth Amendment?

(Check the appropriate box)

_____ Yes _____ No

1c. Do you find by a preponderance of evidence that Defendant Alan Morris used excessive force against Plaintiff on October 17, 2017, in violation of Plaintiff's constitutional rights as provided by the Eighth Amendment?

(Check the appropriate box)

_____ Yes _____ No

If you answered "Yes" to any part of Question #1, proceed to Question #2.

If you answered "No" to all of Question #1 proceed to Question #5. If you answered "No" to all of Question #1, you should not complete Questions #2, #3 or #4.

Question #2:

2. Please state the amount that will fairly compensate Mr. Bracey for any physical injury or emotional pain and mental anguish that he sustained as a result of the Defendants' violation of Mr. Bracey's Eighth Amendment rights: \$ _____

After answering Question 2, proceed to Question 3.

3. Do you find by a preponderance of evidence that any Defendant acted maliciously or wantonly in violating Plaintiff's constitutional rights as provided by the Eighth Amendment?

(Check the appropriate box)

3a. Defendant Corey Valencia _____ Yes _____ No

3b. Defendant Christopher Colgan _____ Yes _____ No

3c. Defendant Alan Morris _____ Yes _____ No

If you answered "Yes" to any part of Question 3, proceed to Question 4 and answer the corresponding part of Question 4. If you answered "No" to all of Question 3, proceed to Question 5.

4. What amount of punitive damages do you award to Plaintiff as a result of any Defendant's violation of Mr. Bracey's Eighth Amendment rights?

5a. Defendant Corey Valencia \$_____.

5b. Defendant Christopher Colgan \$_____.

5c. Defendant Alan Morris \$_____.

CIVIL CONSPIRACY—FOURTEENTH AMENDMENT

5a. Do you find by a preponderance of evidence that Defendant Corey Valencia participated in a conspiracy with another defendant on October 17, 2017, to deprive Plaintiff of his constitutional due process rights as provided by the Fourteenth Amendment?

(Check the appropriate box)

_____ Yes _____ No

5b. Do you find by a preponderance of evidence that Defendant Christopher Colgan participated in a conspiracy with another defendant on October 17, 2017, to deprive Plaintiff of his constitutional due process rights as provided by the Fourteenth Amendment?

(Check the appropriate box)

_____ Yes _____ No

5c. Do you find by a preponderance of evidence that Defendant Alan Morris participated in a conspiracy with another defendant on October 17, 2017, to deprive Plaintiff of his constitutional due process rights as provided by the Fourteenth Amendment?

(Check the appropriate box)

_____ Yes _____ No

If you answered "Yes" to any part of Question #5, proceed to Question #6.

If you answered "No" to all of Question #5, your deliberations are complete. Sign this verdict form and notify the clerk that your deliberations are complete. If you answered "No" to all of Question #5, you should not complete Questions #6, #7 or #8.

Question #6:

6. Please state the amount that will fairly compensate Mr. Bracey for any physical injury or emotional pain and mental anguish that he sustained as a result of the Defendants' conduct:

\$ _____

After answering Question 6, proceed to Question 7.

7. Do you find by a preponderance of evidence that any Defendant acted maliciously or wantonly in violating Plaintiff's constitutional rights as provided by the Eighth Amendment?

(Check the appropriate box)

7a. Defendant Corey Valencia _____ Yes _____ No

7b. Defendant Christopher Colgan _____ Yes _____ No

7c. Defendant Alan Morris _____ Yes _____ No

If you answered "Yes" to any part of Question 7, proceed to Question 8 and answer the corresponding part of Question 8. If you answered "No" to all of Question 7, you have completed the questions and should now sign and date this verdict slip.

8. What amount of punitive damages do you award to Plaintiff as a result of any Defendant's conduct?

8a. Defendant Corey Valencia \$_____.

8b. Defendant Christopher Colgan \$_____.

8c. Defendant Alan Morris \$_____.

Your deliberations are now complete. Sign this verdict form and notify the clerk that your deliberations are complete.

Dated: _____

Foreperson

WHEREFORE, the Corrections Defendants respectfully request that the Court accept the foregoing proposed verdict slip.

Respectfully submitted,

MICHELLE A. HENRY
Acting Attorney General

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Date: March 3, 2023

s/ Scott A. Bradley
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